

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0970-01  
Bill No.: HJR 22  
Subject: Bonds - General Obligation and Revenue; Education, Elementary and Secondary;  
Constitutional Amendments  
Type: Original  
Date: March 12, 2013

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Bill Summary: This legislation proposes a constitutional amendment authorizing voters to approve an increase in the level of school district bonded indebtedness.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
General Revenue	\$0 or (More than \$7,100,000)	\$0	\$0
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0 or (More than \$7,100,000)</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Local Government*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**\*Offsetting Transfers In and Expenses are \$0 or More than \$7,100,000 in FY 14.**

## FISCAL ANALYSIS

### ASSUMPTION

According to officials from the **Office of Secretary of State (SOS)**, each year a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII, Section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, section 115.063.2, RSMo, requires the state to pay the costs. The cost of the special election has been estimated to be \$7.1 million based on the cost of the 2012 Presidential Preference Primary. This figure was determined through analyzing and totaling expense reports from the 2012 Presidential Preference Primary received from local election authorities.

The SOS is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2013, at the August and November elections, there were 5 statewide Constitutional Amendments or ballot propositions that cost \$2.17 million to publish (an average of \$434,000 per issue). Therefore, the SOS assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. However, because these requirements are mandatory, the SOS reserves the right to request funding to meet the cost of their publishing requirements if the Governor and the General Assembly change the amount or eliminate the estimated nature of the SOS appropriation.

Officials from the **Department of Elementary and Secondary Education (DESE)** assume the proposal would increase the aggregate bond limit of school districts by billions of dollars. The actual effects of this proposal at the local level are dependent on the actions of the local school board in each district presenting bond issues to the voters and the actions of their local voters in

ASSUMPTION (continued)

approving or defeating proposed bond issues.

School districts cannot enter into general obligation bond debt without a super-majority voter approval. There is the potential for significant increases in debt obligations that have to be paid for by the taxpayers of a district. The protection is that a school board cannot just decide to sell bonds for a particular project. The school board must get voter approval and the super-majority level depends upon which election the issue is presented to the voters.

Even at the current 15% level, districts are not always successful in convincing voters to approve a bond issue. They will not all be successful if the level is raised to 25%. However, this proposal would give voters the option. For some districts, 15% of their assessed valuation would not provide enough bonding capacity to do the classroom additions or new building that may be needed. Raising the limit to a range between 15% and 25% offers the potential for more bonding capacity subject to voter approval.

Officials from the **Platte County Board of Elections** state there would be no direct costs to the Platte County Board of Elections. However, there would be costs for an election for the County conducting an election. Costs per General election would range from \$50,000 to \$60,000, depending upon the number of other participants involved in the election, as costs would be pro-rated based upon the number of registered voters within each district

Officials from the **Office of the Governor, Office of Administration, St. Louis County, Francis Howell School District**, and the **Special School District of St. Louis County** each assume the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
<b>GENERAL REVENUE</b>			
<u>Transfer Out</u> - Office of Secretary of State	\$0 or (More		
- Reimbursement to local election	than		
authorities for election costs <b>if</b> a special	<u>\$7,100,000)</u>	<u>\$0</u>	<u>\$0</u>
election is called			
<b>ESTIMATED NET EFFECT ON</b>	<b>\$0 or (More</b>		
<b>GENERAL REVENUE</b>	<b>than</b>		
	<u><b>\$7,100,000)</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Transfer In</u> - Local Election Authorities - Cost reimbursement from the State for a special election	\$0 or More than \$7,100,000	<u>\$0</u>	<u>\$0</u>
<u>Expense</u> - Local Election Authorities - Cost of special election	\$0 or (More than <u>\$7,100,000</u> )	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.


FISCAL DESCRIPTION

Upon voter approval, this proposed constitutional amendment allows a school district to become indebted in an amount exceeding 15% but not more than 25% of the value of the taxable tangible property in the district if the voters also approve a separate question at the same election authorizing the district to become indebted in an amount specified in the separate question.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Administration  
Department of Elementary and Secondary Education  
Office of the Governor  
Office of Secretary of State  
    Elections Division  
St. Louis County  
Platte County Board of Election Commissioners  
School Districts  
    Francis Howell  
    Special School District of St. Louis County



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March 12, 2013